

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No.: 1:24-cv-00710-LCB-JLW**

**UNITED STATES OF AMERICA; STATE  
OF NORTH CAROLINA; STATE OF  
CALIFORNIA; STATE OF COLORADO;  
STATE OF CONNECTICUT; STATE OF  
MINNESOTA; STATE OF OREGON;  
STATE OF TENNESSEE; and STATE OF  
WASHINGTON,**

**Plaintiffs,**

**v.**

**REALPAGE, INC.,**

**Defendant.**

**DEFENDANT REALPAGE, INC.'S  
MOTION TO DISMISS UNDER  
FEDERAL RULE OF CIVIL  
PROCEDURE 12(b)(6)**

**ORAL ARGUMENT  
REQUESTED**

Defendant RealPage, Inc. moves the Court to dismiss Plaintiffs' Complaint with prejudice under Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted.

As more fully set forth in RealPage's accompanying Brief in Support, the grounds for this Motion are as follows:

1. The Court should dismiss Plaintiffs' claims under Sherman Act § 1 because the Complaint fails to allege anticompetitive effects in a relevant market.
2. The Court should dismiss Plaintiffs' claims under Sherman Act § 2 because the Complaint fails to allege that RealPage has engaged in exclusionary conduct, has

actual or dangerously probable monopoly power in a relevant market, and specifically intended to monopolize a relevant market.

WHEREFORE, RealPage respectfully moves the Court to dismiss Plaintiffs' Complaint with prejudice.

Respectfully submitted this 3rd day of December, 2024.

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